

) MDL No. 1456
IN RE PHARMACEUTICAL INDUSTRY)
AVERAGE WHOLESAL PRICE) Master File No. 01-CV-12257-PBS
LITIGATION) Subcategory No. 06-CV-11337-PBS
)
)
THIS DOCUMENT RELATES TO:) Judge Patti B. Saris
<i>United States of America ex rel. Ven-A-Care of</i>)
<i>the Florida Keys, Inc., et al. v. Boehringer</i>) Magistrate Judge Marianne B. Bowler
<i>Ingelheim Corporation, et al.</i> , Civil Action No.)
07-10248-PBS)
)

The United States respectfully files this assented to motion to enlarge the time to file a sur-reply to address issues raised in defendants' reply memorandum. The United States requests that the time to file its sur-reply be enlarged one week to October 6, 2009. In support, the United States notes that:

- For the above reasons, the United States respectfully requests that this motion be granted, and that its time to file a sur-reply be enlarged to October 6, 2009.

Respectfully submitted,

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DATED: September 29, 2009

CERTIFICATE OF SERVICE

I hereby certify that I have this day caused an electronic copy of the above to be served on all counsel of record via electronic service pursuant to Paragraph 11 of Case Management Order No. 2 by sending a copy to LexisNexis File & Serve for posting and notification to all parties.

Dated: September 29, 2009

/s/ James J. Fauci
James J. Fauci
Assistant U.S. Attorney